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Paper No. 5

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OCT 22 2001

In re Application of
Brundridge, et al.
Application No. 09/854,364
Filed: May 11, 2001
Attorney Docket No.: M-11598 US
For: DYNAMIC DISPLAY OF PERSONAL
COMPUTER SUPPORT INFORMATION

ON PETITION

OFFICE OF PETITIONS

This is a decision on the petition filed August 2, 2001, requesting that the above-identified application be accorded a filing date of May 11, 2001.

The application was filed May 11, 2001. On July 11, 2001, a Notice of Incomplete Nonprovisional Application ("Notice") was mailed. The Notice indicated that the application was not accorded a filing date because the application was deposited without a drawings as per 35 U.S.C. 113.

In response, petitioner argues that the "Notice" was mailed in error, since the application was filed with six (6) sheets of drawings. Petitioner presents evidence of Office receipt of the drawings in the form of a return postcard stamped by the Office acknowledging receipt of six (6) sheets of drawings.

The original formal drawings submitted with the application papers have not been located. However, in view of the evidence presented, the petition is **GRANTED**.

Since the original drawings cannot be located in the Office, the duplicate set of drawings submitted with the instant petition will be used for examination purposes.

This application will be forwarded to Office of Initial Patent Examination for further processing with a filing date of May 11, 2001.

Telephone inquiries related to this decision may be directed to Petitions Attorney Alesia M. Brown at (703) 305-0310.

Beverly M. Flanagan
Supervisory Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy